

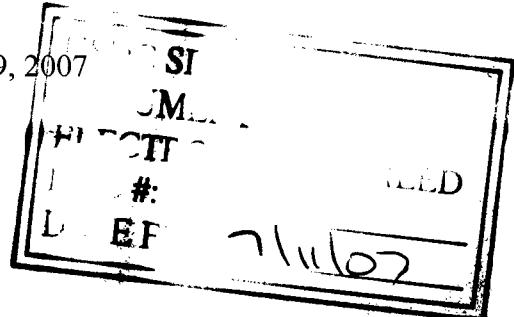
MEMO ENDORSED

MICHAEL A. CARDODOZ
Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**
100 CHURCH STREET
NEW YORK, N.Y. 10007

David M. Pollack
*Assistant Corporation Counsel
Special Federal Litigation Division*
Tel.: (212) 788-1894
Fax: (212) 788-9776

July 09, 2007



BY HAND

Honorable Kenneth M. Karas
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Sylvia and Alan Burrus v. City of New York, et al., 07 CV 5573 (KMK)

Dear Judge Karas:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of this action on behalf of defendants City of New York, Commissioner Raymond Kelly, District Attorney Charles Hynes and Assistant District Attorneys Lawrence Oh and Suzanne Corhan. I am writing with the consent of plaintiff's counsel, Nicole Bellina, Esq., to respectfully request a sixty-day enlargement of time from July 9, 2007 to September 7, 2007, within which this office may answer or otherwise respond to the complaint. This is the City's first request for an enlargement of time in this action.

The complaint alleges, *inter alia*, that plaintiffs were subjected to false arrest, false imprisonment, unlawful entry and property damage. In addition to the City of New York, Commissioner Kelly, District Attorney Hynes and Assistant District Attorneys Oh and Corhan, plaintiffs purport to name Police Captain Michael Kemper, Detective Strafaci, and numerous unidentified John Does. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. The enlargement of time will afford us the opportunity to investigate the matter.

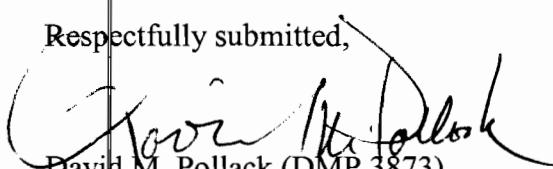
Moreover, the enlargement will allow us to ascertain whether the individually named defendants have been served.¹ If service has been effectuated then, pursuant to Section 50-k

¹ Although this Office does not currently represent Captain Kemper and Detective Strafaci, this Office also respectfully requests this extension on their behalf in order that their defenses are not jeopardized while representational issues are being decided.

of the New York General Municipal Law, this office must determine, based on a review of the case, whether we may represent the individually named defendants. Only after this procedure has been followed can we determine how to proceed in this case. In view of the foregoing, it is respectfully requested that the Court grant the within request extending Defendants' time to answer or otherwise respond to the complaint until September 7, 2007.

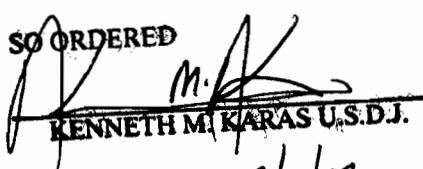
Thank you for your consideration in this regard.

Respectfully submitted,


David M. Pollack (DMP 3873)
Assistant Corporation Counsel

cc: By Facsimile Transmission
(718) 852-3586
Nicole Bellina, Esq.
Attorney for Plaintiff
71 Nevins Street
Brooklyn, New York, 11217

*Defendants are given until September 7, 2007
to answer or otherwise respond to the complaint.*


SO ORDERED
KENNETH M. KARAS U.S.D.J.
7/11/07